



## Board of Zoning Appeals

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

**May 14, 2018**

**9:30**

**Calendar No. 18-88:**

**12207 Brookfield Ave.**

**Ward 11**

**Dona Brady**

**11 Notices**

Robert Hill, owner, proposes to install approximately 240 linear feet of chain link fence in the actual front yard of an A1 One-Family Residential District. The owner appeals for relief from the strict application of Section 358.04(c)(1) which states that only ornamental fences shall be installed in actual front yard and in actual side street yard if located within 4' of side street property line; chain link fence is proposed in actual front yard. (Filed April 17, 2018)

**9:30**

**Calendar No. 18-89:**

**1001-1101 Euclid Ave.**

**Ward 3**

**Kerry McCormack**

**7 Notices**

Alto JHB Acquisition, LLC., owner, proposes to convert existing office building to 226 apartments and approximately 18,540 square feet of ground floor retail space with 180 enclosed parking spaces and residential amenity areas in an E 5 General Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that in an "E" area district, the maximum gross floor area of a residential building cannot exceed one and one half times the lot area (1 ½); therefore the permitted maximum gross floor area is 79,044 square feet and 409,720 square feet are proposed.
2. Section 357.08(b)(2) which states that a rear yard equal to one half the height of the building is required and no rear yard is provided.
3. Section 357.09(b)(2)(C) interior side yards equal to one fourth the height of the building are required and no interior side yards are provided. (Filed April 18, 2018)
- 4.

**9:30**

**Calendar No. 18-90:**

**863 East 185 Street**

**Ward 8**

**Michael D. Polensek**

**24 Notices**

Working Hard LLC., owner, and Catherine Patton, lessee, propose to add cosmetic tattooing (microblading) to existing salon in a C1 Local Retail Business District and a Pedestrian Retail Overlay District (PRO). The lessee appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.11(b)(2)(P)(2) which states that "Tattoo" means any method utilizing needles or other instruments by someone other than a physician licensed under RC Chapter 4731, to permanently place designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of a person with ink or any other substance resulting in an alteration of the appearance of the skin.

2. Section 343.01(b) which states that Tattoo establishment is first permitted in a General Retail Business District, and when in that district must be at least 1,000 feet from a residential district per Section 347.12. Proposed use abuts residential district. (Filed April 18, 2018)

**9:30**

**Calendar No. 18-91:**

**13701 Kinsman Rd.**

**Ward 4**

**Kenneth L. Johnson**

**14 Notices**

Maranatha Bible College, owner, proposes to install an illuminated ID wall sign in a B1 Residence Office District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 350.13 which states that a maximum of one 40 square foot sign per vehicle entrance is permitted and one 320 square foot sign is proposed.
2. Section 350.13(g) which states that electronic display sign for community facility in a Residence District requires BZA approval. (Filed April 19, 2018)

**9:30**

**Calendar No. 18-93:**

**917 Fruit Avenue**

**Ward 3**

**Kerry McCormack**

**12 Notices**

George Roark, owner, proposes to erect a 2 story 1,938 square foot single family house with detached garage on an approximately 4500 square foot lot in a Two Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the minimum lot width for a single family dwelling in a "B" area districts is 40 feet and 30 feet are proposed. The minimum lot area for a single family dwelling in a "B" Area Districts is 4,800 square feet; proposed lot area is 4,500 square feet.
2. Section 357.09(b)(2)(C) which states that in a Two Family District no interior side yard, and except as provided in subsection (b)(1) hereof, in any use district no interior side yard on a lot occupied by a dwelling house shall be less than five feet in width for a corner lot, not less than three feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten feet. However, the width of any such interior side yard shall in no case be less than one fourth (1/4) the height of the main building on the premises. Building height is 21'-0" thus no interior side yard shall be less than 5'-3", a 3'-0" side yard is proposed and the proposed aggregate width of side yards is 7'-4".
3. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from a main building on an adjoining lot. Distance to main building on adjoining lot is 4'-0".
4. Section 341.02(b) which states that City Planning approval is required prior to the issuance of a building permit. (Filed April 20, 2018)

**POSTPONED FROM APRIL 16, 2018**

**9:30**

**Calendar No. 18-71:**

**5316 Train Avenue**

**Ward 15**

**Matt Zone**

**8 Notices**

Roger Kirk, owner, proposes to add a 968 square foot addition to existing residence in a B1 General Industry District. The owner appeals for relief from the strict application of Section 345.04 (d)(1) of the Cleveland Codified Ordinances which states that residential building is prohibited in a General Industry District. The proposed addition is an expansion/addition of non-conforming use requiring approval of the Board of Zoning Appeals per section 359.01. (Filed March 16, 2018-No Testimony) FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW FOR TIME FOR A COMMUNITY MEETING.

**POSTPONED FROM APRIL 23, 2018**

**9:30**

**Calendar No. 18-75:**

**3910 Clinton Avenue**

**Ward 3**

**Kerry McCormack**

**18 Notices**

Daniel McKenna, owner, proposes to construct a single family residence in a B1 Two Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the permitted maximum gross floor area can be equal to  $\frac{1}{2}$  of the lot area or in this case 2,453 square feet; the proposed floor area is 4,669 square feet maximum gross floor
2. Section 357.09(b)(2)(B) which states that an interior side yard shall be no less than  $\frac{1}{4}$  of the height of the Building or in this case 9 feet; proposed interior side yards are three (3) feet and five (5) feet. (Filed March 21, 2018-No Testimony) FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW FOR TIME FOR A COMMUNITY MEETING.

**POSTPONED FROM APRIL 30, 2018**

**9:30**

**Calendar No. 18-79:**

**2441 Thurman Avenue**

**Ward 3**

**Kerry McCormack**

**15 Notices**

Nicolet & Crystal Bortan, owners, propose to erect a two-family residence in a B1 Two-Family Residential District. The owners appeal for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(b) which states that the maximum gross floor area allowed is 990 square feet and the proposed gross floor is 3,784 square feet.
2. Section 355.04(b) which states that the minimum lot width for a two family dwelling is 50 feet; proposed lot width is 31 feet.
3. Section 355.04(b) which states that the minimum lot area for a two family dwelling is 6000 square feet and the proposed lot area is approximately 1980 square feet.

4. Section 357.08(b)(1) which states that in a Residence District the depth of a rear yard shall be not less than fifteen percent (15%) of the depth of the lot but in no case less than twenty (20) feet.
5. Section 357.09(b)(2)(B) which states that the width of any such interior side yard shall in no case be less than one fourth (1/4) the height of the main building on the premises; proposed side yard is three feet. (April 6, 2018-No Testimony) FIRST POSTPONEMENT MADE AT THE REQUEST OF THE APPELLANT TO ALLOW FOR TIME FOR A COMMUNITY MEETING.